

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION No. 04-10956-REK

ERNEST OGLETREE,)
 Plaintiff)
)
 v.)
)
CITY OF ATTLEBORO,)
STURDY MEMORIAL HOSPITAL,)
INC., JAMES G. MACDONALD,)
DOUGLAS JOHNSON, MICHAEL)
BARTUCCA, ROBERT ASTIN,)
and LEWIS RHEAUME,)
 Defendants)

**JOINT MOTION TO EXTEND
TIME FOR DISCOVERY AND
TO DISCLOSE EXPERT WITNESSES
AND FOR DISPOSITIVE MOTIONS**

The parties to this civil action jointly move this Honorable Court to extend the time for the parties to complete discovery, including depositions, and to disclose their expert witnesses, and to file dispositive motions by four months, such that the completion of discovery and percipient witness depositions will be extended to and including September 30, 2005, the plaintiff's expert witness disclosures will be extended to and including October 31, 2005, the defendants' expert witnesses disclosures will be extended to and including November 30, 2005, the time for concluding expert witness depositions will be extended to and including December 30, 2005, and the filing of dispositive motions will be extended to and including January 31, 2006.

In support of their Motion, the parties state that they have engaged in discovery cooperatively but neither have concluded discovery nor obtained sufficient information to allow for expert disclosures at the times now scheduled for them due to the legal

and factual complexities of this action; that the time for completing discovery has not expired yet but is nearing; that the parties do not anticipate being able to conclude discovery and expert witness disclosure within the time allotted due to the schedules of the parties' counsel; that no party will be prejudiced by allowance of this Joint Motion; that good cause exists for extending the deadlines in view of the foregoing; and that the parties have not sought an extension of any of the deadlines heretofore.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

On May 13, 16, 17, 18, and 19, 2005, I, Mark F. Itzkowitz, counsel for the plaintiff, discussed and reviewed the foregoing Motion by telephone conferences with each defendant's counsel and/or their representatives. Each of the defendant's counsel or their representatives assented to the foregoing Motion on behalf of the defendants and authorized me to sign their names in assent to this Motion.

The Plaintiff,
Ernest Ogletree,
By his Attorney,

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May 19, 2005

The Defendant,
James G. MacDonald,
By his Attorneys,

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The Defendant,
City of Attleboro,
By its Attorneys,

/s/ CHARLES D. MULCAHY
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The Defendants,
Sturdy Memorial Hospital, Inc., Douglas Johnson,
Michael Bartucca, Robert Astin & Lewis Rheaume,
By their Attorneys,

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